

DEPARTMENT OF THE TREASURY- BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
TAX DEFERRAL BOND-WINE
(Puerto Rico)
(File in duplicate-see instructions on reverse)

PRINCIPAL (See instructions 2, 3, and 4.)

ADDRESS OF BUSINESS OFFICE (Number, street, city, State, ZIP Code)

SURETY (OR SURETIES)

AMOUNT OF BOND

EFFECTIVE DATE

KIND OF BOND (Check applicable box)

☐ ORIGINAL

☐ STRENGTHENING

☐ SUPERSEDING

PREMISES FROM WHICH WITHDRAWALS ARE TO BE MADE

NO.

LOCATED AT

KNOW ALL MEN BY THESE PRESENTS, That we, the above-named principal and surety (or sureties), are held and firmly bound to the United States of America in the above-named amount, lawful money of the United States, for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

This bond shall not in any case be effective before the above-named date, but if accepted by the United States it shall be effective according to its terms on and after that date without notice to the obligors: Provided, That if no date is inserted in the space above provided therefor, the date of execution hereof shall be the effective date.

WHEREAS, the principal is operating, under the laws and regulations of the Commonwealth of Puerto Rico, the premises specified above; and

WHEREAS, the principal intends to withdraw from the above specified premises wine of Puerto Rican manufacture for shipment to the United States; and

WHEREAS, under the provisions of 26 U.S.C. 7652(a) (1), there is imposed on all articles of Puerto Rican manufacture coming into the United States and withdrawn for consumption or sale a tax equal to the internal revenue tax imposed in the United States upon like articles of merchandise of domestic manufacture; and

WHEREAS, under the provisions of 26 U.S.C. 7652(a) (2), the tax imposed by 26 U.S.C. 7652(a) (1), may be paid before shipment from Puerto Rico; and

WHEREAS, under the provisions of the regulations in 27 CFR Part 250, the principal, as proprietor of the premises specified above, may give bond to secure the deferred payment of taxes on wine of Puerto Rican manufacture withdrawn from insular bond for shipment to the United States; and

WHEREAS, pursuant to such regulations, the principal gives this bond, to secure the deferred payment, as provided therein, of the taxes imposed by 26 U.S.C. 7652(a) (1), and equal to the tax imposed on wine of domestic manufacture by 26 U.S.C. 5041.

NOW, THEREFORE, the condition of this bond is such that if the principal shall pay, or cause to be paid, to the United States, at the time and in the manner prescribed in 27 CFR Part 250, the full amount of taxes with respect to wine (equal to the tax imposed by 26 U.S.C. 5041) which have been computed when the wine was withdrawn from insular bond, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

We, the obligors, for ourselves, our heirs, executors, administrators, successors, and assigns, do further covenant and agree that the total amount of this bond shall be available for satisfaction of any liability incurred under the terms and conditions of this bond, and that upon the breach of any of the covenants of this bond, the United States may pursue its remedies against the principal or surety, independently, or against both jointly, and the said surety hereby waives any right or privilege it may have of requiring, upon notice, or otherwise, that the United States shall first commence action, intervene in any action of any nature whatsoever already commenced, or otherwise exhaust its remedies against the principal.

WITNESS our hands and seals this _____ day of _____, 19_____

Signed, sealed, and delivered in the presence of --

(SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

**APPROVAL OF REGIONAL DIRECTOR (COMPLIANCE)
BUREAU OF ALCOHOL, TOBACCO & FIREARMS**

On behalf of the United States, I approve the foregoing bond which has been executed in due form and in compliance with the law, regulations, and instructions.

SIGNATURE OF REGIONAL DIRECTOR (COMPLIANCE)

DATE

INSTRUCTIONS

1. This bond shall be filed in duplicate with the Regional Director (Compliance), Bureau of Alcohol, Tobacco & Firearms, New York, New York

2. The name, including the full given name, of each party to the bond shall be shown and each such party shall sign the bond with his signature, or the bond may be executed in his name by a duly empowered attorney-in-fact.

3. In the case of a partnership, the trade name of the firm, followed by the names of all the members thereof, shall be given in the heading. In executing the bond the firm name shall be typed or written followed by the word "by" and the signatures of all partners, or the signature of any partner duly authorized to sign the bond in behalf of the firm or the signature of a duly empowered attorney-in-fact.

4. If the principal is a corporation, give not only the corporate name, but also the name of the political entity under the laws of which it is organized (i.e. Commonwealth of Puerto Rico, Delaware, etc.), and the location of the principal office; and the bond shall be executed in the corporate name, immediately followed by the signature and title of the person duly authorized to act in its behalf.

5. If the bond is signed by an attorney-in-fact for the principal, or by one of the members for a partnership or association, or by an officer or other person for a corporation, there shall be filed with the bond a duly authenticated copy of the power of attorney, resolution of the board of directors, excerpt of the bylaws, or other document, authorizing the person signing the bond to execute it on behalf of the principal.

6. The signature for the surety shall be attested under corporate seal. The signature for the principal, if a corporation, shall also be so attested if the corporation has a corporate seal; if the corporation has no seal, that fact should be stated. Each signature shall be made in the presence of two witnesses (except where corporate seals are affixed), who shall sign their names as such.

7. A bond may be given with corporate surety authorized to act as surety by the Secretary of the Treasury of the United States, or by the deposit of collateral security consisting of bonds or notes of the United States. The Act of July 30, 1947 (section 15, title 6, U.S.C.), provides that "the phrase 'bonds or notes of the United States' shall be deemed *** to mean any public debt obligations of the United States and any bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States."

8. Where any alteration or erasure is made in any bond before the execution thereof, there shall be incorporated in the bond a statement to that effect by the principal and surety or sureties; or if such alteration or erasure was made after the bond was executed, the consent of all parties thereto shall be written in the bond.

9. The penal sum named in the bond shall be in accordance with the regulations in 27 CFR Part 250.

10. After approval of the bond a copy shall be returned to the principal.

11. All correspondence about the filing of this form or subsequent action including termination affecting this bond should be addressed to the Regional Director (Compliance), Bureau of Alcohol, Tobacco and Firearms, New York, New York.

PAPERWORK REDUCTION ACT NOTICE

This form is not subject to OMB review and approval because it requires only that information necessary to identify the parties involved and the amount of the bond.